

**REMARKS**

Claims 1-36 are now pending in the application, with claims 1, 21, 32, 33, 35 and 36 being the independent claims. Reconsideration and further examination are respectfully requested.

In the Office Action, claims 1-9, 12-15, 19-21 and 27-33 were rejected under 35 USC § 102(e) in view of U.S. Patent Application Publication 2002/0147766 (Vanska); claims 10 and 11 were rejected under 35 USC § 103(a) over Vanska in view of U.S. Patent 6,185,683 (Ginter); and claims 16-18 and 22-26 were rejected under 35 USC § 103(a) over Vanska in view of U.S. Patent Application Publication 2003/0130904 (Katz). Withdrawal of these rejections is respectfully requested for the following reasons.

The present invention concerns systems, methods and techniques that can be used, for example, in connection with customizing the delivery of services to, and/or sales efforts toward, customers. Moreover, in particular embodiments, the present invention often can accomplish this in a manner that achieves a good balance between information that a merchant desires to obtain from the customer and information that the customer is willing to share with the merchant.

The following description summarizes a preferred embodiment of the invention, as described in more detail in the Specification. Customer information is stored on a device under the control of the customer. A merchant-controlled device then provides a set of business rules or procedures for evaluating some or all of such customer information in order to categorize the customer. The customer device receives these business rules or procedures and, subject to any privacy criteria specified by the customer, executes them and returns the resulting categorization to the merchant. Because the customer information is stored and processed only on the customer's own device, the customer typically will be able to protect

his or her privacy interests, assuming that the system is implemented appropriately. At the same time, because the business rules or procedures are permitted to be specified by the merchant, the customer categorization (or other information) that is returned to the merchant often can be tailored to meet the merchant's perceived needs, as defined by the merchant itself.

Independent claim 1 is directed to a system for customer-side market segmentation while preventing disclosure of sensitive customer information. A non-merchant-controlled device has a means for generating a category code based on a business-specific decision procedure and stored customer information, with the customer information being kept private from merchants based on specified criteria. A first merchant-controlled means provides the business-specific decision procedure to the non-merchant-controlled device, and a second merchant-controlled means receives the category code from the non-merchant-controlled device.

The foregoing combination of features is not disclosed by the applied art. For instance, Vanska says nothing at all about a non-merchant-controlled device generating a category code based on a business-specific *decision procedure* that has been provided by a merchant-controlled means.

In this regard, Vanska concerns use of a device 110 by a customer for communicating with a service operator. One feature apparently emphasized in Vanska is the ability of such a device to determine a privacy level at which communications are conducted with a particular service operator. See, e.g., Vanska's Abstract. For instance, in paragraphs [0033]-[0037] Vanska discusses multiple different privacy levels at which communications might take place, with different respective service operators.

However, it appears that the communication level at which Vanska's user device 110 operates is determined solely by the *identity* of the subject service operator. Nothing in Vanska indicates that the service operator provides any business-specific *decision procedure* to device 110, much less that device 110 generates a category code based on any such provided business-specific decision procedure.

The Office Action asserts that Figures 1, 6A and 6B of Vanska show the provision of such a business-specific decision procedure to device 110. However, those drawings have been studied in detail and are not seen to say or show anything at all about such a feature.

Specifically, Figures 1A and 1B show that user device 110 communicates with a plurality of service operators 130. However, nothing in those drawings indicate that a business-specific *decision procedure* is provided from any service operator 130 to user device 110. Figures 6A-B only appear to show different arrangements of service operators and, thus, also say nothing at all about this feature. Accordingly, if the rejection is maintained Applicants respectfully request a more specific description of how these features are shown by such drawings.

For the foregoing reasons, independent claim 1 is believed the allowable over Vanska.

Independent claim 21 is directed to a method for customer-side market segmentation, in which a business-specific decision procedure is received by a non-merchant-controlled device. A categorizer is then executed on the non-merchant-controlled device, using the received business-specific decision procedure and a set of stored customer-specific information, and resulting in an identified customer category. This identified customer category is then provided.

The foregoing combination of features is not disclosed by Vanska. For instance, for reasons similar to those outlined above, Vanska does not disclose at least the feature of

executing a categorizer on a non-merchant-controlled device, using a *received* business-specific *decision procedure* and a set of stored customer-specific information, and resulting in an identified customer category.

That is, Vanska appears to say nothing at all about user device 110 *receiving* and then *using* a business-specific *decision procedure* in order to obtain an unidentified customer category. Rather, Vanska appears to establish a communication privacy level based solely on the *identity* of a particular service operator.

Accordingly, independent claim 21 also is believed to be allowable over the applied art.

Independent claim 32 is directed to a computer readable medium containing code sections for categorizing a customer. A first code section is for receiving a business-specific rule set from a business, and a second code section is for inputting customer-specific information and storing such information in memory. A third code section is for categorizing a customer, using the business-specific rule set received by the receiving code section and customer-specific information stored in memory, and resulting in a customer category. A fourth code section is for sending the customer category to the business, while guarding the customer-specific information stored in memory from being sent to the business.

The foregoing combination features is not disclosed by the applied art. For instance, based on the analysis of the cited portions of Vanska set forth above, it appears that Vanska says nothing at all about *receiving* a business-specific *rule set* from a business or using such a *received* business-specific *rule set* for categorizing a customer. Accordingly, independent claim 32 also is believed to be allowable over the applied art.

Independent claim 33 is directed to a computer readable medium containing code sections for use in a promotional device utilizing customer categories. A first code section is

for detecting a customer-controlled categorization device, and a second code section is for sending a business-specific rule set to the customer-controlled categorization device. A third code section is for receiving a customer category from the customer-controlled categorization device, where the customer category was generated using the business-specific rule set and customer-specific information stored in memory in the customer-controlled categorization device.

The foregoing combination features is not disclosed by the applied art. For instance, referring to the analysis of Vanska set forth above, it appears that Vanska fails to disclose anything at all about *sending* a business-specific *rule set* to any customer-controlled categorization device or receiving a customer category back from the customer-controlled categorization device, where the customer category was generated using the *sent* business-specific *rule set* and customer-specific information stored in memory in the customer-controlled categorization device. Accordingly, independent claim 33 also is believed to be allowable over the applied art.

Newly added independent claims 35 and 36 are directed to apparatuses and techniques for use in providing customer-related information. Initially, customer information is obtained and stored. Business-specific decision procedures then may be received from any of a variety of different businesses. Upon receiving a particular business-specific decision procedure from a requesting business, the stored customer information is processed based on such particular business-specific decision procedure, subject to specified customer privacy policies, in order to obtain processed customer information. Then, the processed customer information is sent to the requesting business.

The foregoing combination of features is not disclosed or suggested by the applied art. For instance, based on the analysis of the cited portions of Vanska set forth above, it appears

that Vanska fails to disclose anything at all about *receiving* a business-specific *decision procedure* from a requesting business or processing the customer information based on such *received* business-specific decision procedure, subject to specified customer privacy criteria. Accordingly, independent claims 35 and 36 also are believed to be allowable over the applied art.

In view of the foregoing remarks, the entire application is believed to be in condition for allowance, and an indication to that effect is respectfully requested.

The other claims in the application depend from the independent claims discussed above and are therefore believed to be allowable for at least the same reasons. In addition, each dependent claim recites at least one additional feature of the invention that further distinguishes the invention from the applied art. Accordingly, the individual consideration/reconsideration of each on its own merits is respectfully requested, particularly in view of the remarks set forth above.

It is noted that the minor amendments to claims 1 and 33 above are intended solely to clarify relationships between certain recited elements and to correct any potential antecedent basis problems.

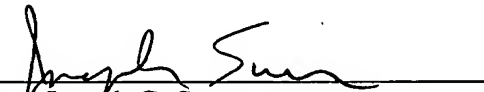
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Respectfully submitted,

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